

1 Lisa M. Carvalho (SBN 161420)
Email: lcarvalho@reedsmith.com
2 Eric G. Wallis (SBN 67926)
Email: ewallis@reedsmith.com
3 Renee C. Feldman (SBN 253877)
Email: RFeldman@reedsmith.com
4 REED SMITH LLP
1999 Harrison Street, Suite 2400
5 Oakland, CA 94612-3572

6 **Mailing Address:**
P.O. Box 2084
7 Oakland, CA 94604-2084

8 Telephone: +1 510 763 2000
Facsimile: +1 510 273 8832

9 Attorneys for Defendants

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 DANIEL FISHER,
13 Plaintiff,

14 vs.

15 WELLS FARGO & CO., WELLS FARGO
16 INVESTMENTS, LLC, and WELLS FARGO
BANK, N.A.,

17 Defendants.
18

No.: CV-09-0028-EDL

**STIPULATION AND [PROPOSED]
ORDER CONSOLIDATING HEARINGS
ON PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION AND
DEFENDANT'S MOTIONS TO
DISMISS/STRIKE**

19 STIPULATION

- 20 1. Plaintiff's Motion for Preliminary Injunction is specially set for hearing before this Court on
21 Thursday, February 26, 2009.
- 22 2. Defendants' Motions to Dismiss and to Strike are regularly set for hearing before this Court
23 the following Tuesday, March 3, 2009.
- 24 3. Among the issues on the Motions, both Plaintiff's Motion and Defendants' Motion address
25 the issue of this Court's jurisdiction in this action.
- 26 4. Plaintiff's counsel are located in Washington, D.C.; at least one of them will travel to San
27 Francisco to appear at hearings in this matter.
28

5. Subject to this Court's approval, in the interests of judicial economy and efficiency for the parties, Plaintiff and Defendants, through counsel, hereby stipulate to the consolidation, to February 26, 2009, of the hearings on the Motion for Preliminary Injunction and the Motions to Dismiss and to Strike.

6. Subject to the Court's approval, Plaintiff and Defendants, through counsel, stipulate that the schedule for the remaining briefing on all affected Motions shall remain unchanged, namely:

a. Plaintiff's Opposition to Defendants' Motions to Dismiss and to Strike: Due on February 10, 2009;

b. Plaintiff's Reply on his Motion for Preliminary Injunction: Due on February 12, 2009; and

c. Defendants' Reply on their Motions to Dismiss and to Strike: Due on February 17, 2009.

IT IS SO STIPULATED.

DATED: February 9, 2009

THE EMPLOYMENT LAW GROUP

By /s/ Jason Zuckerman

Jason Zuckerman

R. Scott Oswald

Attorneys for Plaintiff

DATED: February 9, 2009

REED SMITH LLP

By /s/ Lisa Carvalho

Lisa M. Carvalho

Eric Wallis

Renee Feldman

Attorneys for Defendants

ORDER

IT IS SO ORDERED.

DATED: February 10, 2009

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Hon. Elizabeth D. Laporte
U.S. District Judge

